

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CAMBRIA COMPANY LLC,

Plaintiff,

Case No. 1:20-cv-00508 (JMB)

vs.

Hon. Jane M. Beckering

LAKESIDE SURFACES, INC.,

Defendant.

_____ /

JOINT MOTION TO MODIFY CASE MANAGEMENT ORDER

The Parties hereby jointly move to modify the Amended and Modified Case Management Order (ECF No. 44) as set forth below.

1. The Parties have engaged in fact discovery, including written discovery, document production, third-party discovery, and the initial scheduling of depositions.

2. In October of 2021, the Parties initiated substantive case settlement discussions. In the preliminary stages of those discussions, the Parties proceeded with the fact discovery under the existing Amended Case Management Order.

3. However, as settlement discussions progressed, the parties were optimistic that a settlement was attainable, if not imminent. In an effort to conserve the time, money, and resources of the Court and Parties alike, the Parties sought to extend the then-upcoming case deadlines. (*See* ECF Nos. 41 and 43.)

4. The Parties' settlement efforts continued through December 2021, culminating in the finalization of nearly all material terms and preparation of a final settlement agreement.

5. Regrettably, the Parties were ultimately unable to reach agreement on all terms

and, in early January 2022, settlement discussions broke down.

6. The Parties are prepared to continue with litigation but respectfully request the Court for a new case schedule to account for the delay from the Parties' settlement discussions.

7. Thus, the Parties jointly propose, subject to the approval of the Court, the following modifications to the remaining deadlines the Amended and Modified Case Management Order (ECF No. 44). To the extent the Court is willing to adopt the schedule below, the parties do not believe any further adjustments to the case schedule will be necessary. The Parties will make themselves available to discuss the circumstances of this motion should the Court require or request further explanation.

Event	Current Date	Proposed Date
Fact Discovery Deadline	January 14, 2022	March 11, 2022
Disclosure of Expert Reports for Party with Burden of Proof	January 26, 2022	April 15, 2022
Disclosure of Expert Reports for Party without the Burden of Proof	February 25, 2022	May 6, 2022
Deadline for Expert Depositions	March 14, 2022	May 27, 2022
Deadline to file Dispositive Motions	March 25, 2022	June 10, 2022
Settlement Conference	July 26, 2022	October 10, 2022
Final Pretrial Conference	August 8, 2022	October 24, 2022
Trial	August 29, 2022	November 14, 2022

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Dated: January 14, 2022

IT IS SO ORDERED this ____ day of _____, 2022.

The Honorable Jane M. Beckering
United States District Judge